



## RESOLUTION

INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED, RELATING TO THE CLEAN WATER AND NATURAL LANDS FUND.

WHEREAS, Section 9-204, Revised Charter of the City and County of Honolulu 1973, as amended ("Charter"), establishes the Clean Water and Natural Lands Fund and the Affordable Housing Fund; and

WHEREAS, the Charter Section requires that, in adopting each fiscal year's budget and capital program, the Council shall designate a minimum of one-half of one percent of the estimated real property tax revenues for deposit into the Clean Water and Natural Lands Fund (the "Fund"); and

WHEREAS, moneys deposited into the Fund may only be used to purchase or otherwise acquire real estate or any interest therein for land conservation in the City for the following purposes: protection of watershed lands to preserve water quality and water supply; preservation of forests, beaches, coastal areas and agricultural lands; public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of significant habitats or ecosystems, including buffer zones; conservation of land in order to reduce erosion, floods, landslides, and runoff; and acquisition of public access to public land and open space; and

WHEREAS, the City expends considerable funds in order to improve City owned lands used for land conservation purposes, including park lands used for outdoor recreation; and

WHEREAS, it is the Council's belief that the improvement of lands used for conservation purposes is a desirable use of the moneys from the Fund; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu:

1. That the following question be placed on the ballot at the 2014 general election:

"Shall the Revised City Charter be amended to allow moneys from the Clean Water and Natural Lands Fund to be used for the improvement of lands used for conservation purposes including city park lands used for outdoor recreation?"

2. That Section 9-204 of the Revised Charter of the City and County of Honolulu 1973, as amended, be amended to read as follows:





## RESOLUTION

### "Section 9-204. Clean Water and Natural Lands Fund and Affordable Housing Fund --

1. There shall be established a Clean Water and Natural Lands Fund and an Affordable Housing Fund. In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one percent of the estimated real property tax revenues, one-half of which shall be deposited into the Clean Water and Natural Lands Fund and the remaining one-half of which shall be deposited into the Affordable Housing Fund.

2. Moneys in the Clean Water and Natural Lands Fund shall be used to: a) purchase or otherwise acquire real estate or any interest therein for land conservation in the city for the following purposes: protection of watershed lands to preserve water quality and water supply; preservation of forests, beaches, coastal areas and agricultural lands; public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of significant habitats or ecosystems, including buffer zones; conservation of land in order to reduce erosion, floods, landslides, and runoff; and acquisition of public access to public land and open space; and b) for the improvement of lands used for land conservation purposes including city park lands used for outdoor recreation.

3. Moneys in the Affordable Housing Fund shall be used to provide and maintain affordable housing for persons earning less than fifty percent of the median household income in the city for the following purposes: provision and expansion of affordable housing and suitable living environments principally for persons of low and moderate income through land acquisition, development, construction, and maintenance of affordable housing for sale or for rental, provided that the housing remains affordable in perpetuity.

4. The moneys in each fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment of this section and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds.

5. At any given time, no more than five percent of the moneys in each fund shall be used for administrative expenses.





## RESOLUTION

6. Any balance remaining in each fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in each fund shall not be used for any purposes except those listed in this section.

7. The council shall by ordinance establish procedures for the administration and expenditure of moneys in each fund. The appropriations to each fund shall not substitute for, but shall be in addition to, those appropriations historically made for the purposes stated in this section."

3. That in Section 2, new Charter material is underscored. When revising, compiling or printing these Charter provisions for inclusion in the Revised Charter of the City and County of Honolulu 1973, as amended, the Revisor of the Charter need not include the underscoring.
4. That if these Charter provisions are amended by any other Charter amendment(s) approved by the electors in the 2014 general election, the Revisor of the Charter, in revising, compiling or printing the Revised Charter: (a) May designate or redesignate articles, chapters, sections or parts of sections, and rearrange references thereto; and (b) shall, except as otherwise expressly provided in this resolution or in the other resolution(s) amending these Charter provisions, give effect, to the extent possible, to all of the amendments approved. The Revisor of the Charter may also change capitalization or the form of numbers and monetary sums for the sake of uniformity.
5. That upon adoption of this resolution by the Council and approval by the Mayor, the City Clerk be and is hereby directed:
  - A. To prepare the necessary ballots with the question contained in this resolution and with spaces for "yes" and "no" votes on the question for presentation to the electors at the 2014 general election. The City Clerk may make technical and non-substantive changes to the form of the question presented in order to conform it to the form of other Charter amendment questions presented to the electors at the same election; and
  - B. To publish the above-proposed Charter amendments at length in a daily newspaper of general circulation in the City and County of Honolulu at least 45 days prior to their submission to the electors at the 2014 general election.



FILED  
APR 29 2016

PURSUANT TO ROH Sec. 1-2.5

No. 14-91, CD1

## RESOLUTION

6. That upon approval of the Charter amendment question posed in this resolution by a majority of the electors voting thereon, as duly certified, the Charter amendments in the Revised Charter proposed in Sections 2 shall take effect on January 2, 2015 and shall apply to the fiscal year 2015 to 2016 operating and capital budgets and thereafter.

INTRODUCED BY:

Ernest Martin

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DATE OF INTRODUCTION:

April 29, 2014  
Honolulu, Hawaii

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Councilmembers

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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KIRK CALDWELL, Mayor  
City and County of Honolulu

FILED  
APR 29 2016

PURSUANT TO ROH Sec. 1-2.5